

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

HILBERT THOMAS,  
Plaintiff,  
v.  
R. PASHILK, et al.,  
Defendants.

Case No. [22-cv-01778-JSC](#)

**ORDER DENYING APPOINTMENT  
OF COUNSEL**

Re: Dkt. No. 50

Plaintiff has filed a motion for appointment of a lawyer to represent him in this civil rights case. There is no right to counsel in a civil case such as this. *See Lassiter v. Dep't of Social Services*, 452 U.S. 18, 25 (1981). The decision to request counsel to represent an indigent litigant under § 1915 is within “the sound discretion of the trial court and is granted only in exceptional circumstances.” *Franklin v. Murphy*, 745 F.2d 1221, 1236 (9th Cir. 1984). Plaintiff asserts that there are exceptional circumstances because the law librarian has a “discouraging influence” on him obtaining legal materials. (ECF No. 50 at 3.) These allegations are conclusory insofar as Plaintiff has not alleged how the librarian has discouraged him or what legal materials (if any) he has been unable to obtain, and they are insufficient insofar as he has not asserted that he has been unable to present or litigate his claims or actually obtain the legal materials he needs. If there are limitations on his law library access that causes delays, this does not necessitate appointment of counsel. Plaintiff may request extensions of any deadlines provided that he explain the circumstances that require the extension, including limited law library access. At least at this stage, the issues in this case are not sufficiently complex, nor is Plaintiff unable to effectively present his claims, such that the interests of justice necessitate referral for location of pro bono counsel to assist Plaintiff.

1 Plaintiff's motion for appointment of counsel is DENIED. Should referral for location of  
2 pro bono counsel become necessary at a later time, the Court will issue a referral order on its own;  
3 Plaintiff need and shall not request appointment of counsel in this Court again.

4 The Court has received Plaintiff's requests for a docket sheet, which has been provided,  
5 and his declarations, which do not pertain to the instant motion and do not seek action from the  
6 Court. (ECF Nos. 49, 51-54.)

7 This order disposes of docket number 50.

8 **IT IS SO ORDERED.**

9 Dated: December 20, 2022

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12 JACQUELINE SCOTT CORLEY  
13 United States District Judge  
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United States District Court  
Northern District of California